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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 **DALE WILLS,**

14 Petitioner,

15 v.

16 **JAMES TILTON, Director of the California**
17 **Department of Corrections and Rehabilitation, and**
18 **KEN CLARK, Warden of the Corcoran State**
Prison,

19 Respondents.

C 07-3354 CW (PR)

**NOTICE OF LODGING AND
INDEX OF EXHIBITS TO
THE MOTION TO DISMISS
PETITION FOR WRIT OF
HABEAS CORPUS DUE TO
PETITIONER'S FAILURE TO
COMPLY WITH THE
STATUTE OF LIMITATIONS**

20
21 Respondents hereby submit the following exhibits to be lodged with the Court in connection
22 with its consideration of the Motion to Dismiss Petition for Writ of Habeas Corpus Due to
23 Petitioner's Failure to Comply with the Statute of Limitations in the above cause of action.

24 **INDEX**

25 EXHIBIT A Various Documents from *People v. Wills*, Alameda County Superior Court Case No.
26 H-21247: Information; Jury Verdicts; District Attorney Letter to the Probation
27 Department; Probation Officer's Report; Clerk's Minutes from Sentencing; Abstract
of Judgment; Notice of Appeal.

28 *Wills v. Tilton, et al.*, C 07-3354 CW (PR) NOTICE OF LODGING & INDEX OF EXHIBITS TO THE MOTION TO
DISMISS PETITION FOR WRIT OF HABEAS CORPUS DUE TO PETITIONER'S FAILURE TO COMPLY WITH
THE STATUTE OF LIMITATIONS

- 1 EXHIBIT B Docket Sheet, California Court of Appeal, First Appellate District, Division Three,
2 *People v. Wills*, Case No. A075136.
- 3 EXHIBIT C Opinion of the California Court of Appeal, First Appellate District, Division Three,
4 *People v. Wills*, Case No. A075136.
- 5 EXHIBIT D Petitioner's September 4, 2003 Petition for Writ of Habeas Corpus, California
6 Supreme Court Case No. S118731.
- 7 EXHIBIT E California Supreme Court Order Denying Petition for Writ of Habeas Corpus, filed
8 June 9, 2004, Case No. S118731.
- 9 EXHIBIT F Petitioner's February 18, 2005 Petition for Writ of Habeas Corpus, California
10 Supreme Court Case No. S131563.
- 11 EXHIBIT G California Supreme Court Order Denying Petition for Writ of Habeas Corpus, filed
12 January 4, 2006, Case No. S131563.
- 13 EXHIBIT H Superior Court Order Regarding Petitioner's Petition for Writ of Habeas Corpus, *In*
14 *re Wills*, Alameda County Superior Court Case No. H21247.
- 15 EXHIBIT I Docket Sheet, California Court of Appeal, First Appellate District, Division Three,
16 *In re Wills*, Case No. A113921.
- 17 EXHIBIT J Petitioner's August 16, 2006, Petition for Writ of Habeas Corpus, California
18 Supreme Court Case No. 1458723.
- 19 EXHIBIT K California Supreme Court Order Denying Petition for Writ of Habeas Corpus, filed
20 February 7, 2007, Case No. 1458723.

21 Dated: October 16, 2007

22 Respectfully submitted,

23 EDMUND G. BROWN JR.
24 Attorney General

25 DANE R. GILLETTE
26 Chief Assistant Attorney General

27 GERALD A. ENGLER
28 Senior Assistant Attorney General

PEGGY S. RUFFRA
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/s/ Bruce Ortega

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Wills v. Tilton, et al., C 07-3354 CW (PR) NOTICE OF LODGING & INDEX OF EXHIBITS TO THE MOTION TO
DISMISS PETITION FOR WRIT OF HABEAS CORPUS DUE TO PETITIONER'S FAILURE TO COMPLY WITH
THE STATUTE OF LIMITATIONS

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *Wills v. Tilton, et al.*
No.: C 07-03354 CW (PR)

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On October 16, 2007, I served the attached

**MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS DUE TO
PETITIONER'S FAILURE TO COMPLY WITH THE STATUTE OF LIMITATIONS**

**NOTICE OF LODGING AND INDEX OF EXHIBITS TO THE MOTION TO DISMISS
PETITION FOR WRIT OF HABEAS CORPUS DUE TO PETITIONER'S FAILURE TO
COMPLY WITH THE STATUTE OF LIMITATIONS**

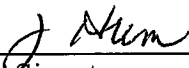
by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Dale G. Wills
J-16405
California State Prison, Corcoran
P.O. Box 5246
Corcoran, CA 93212-5246
(With copies of Exhibits)

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 16, 2007, at San Francisco, California.

J. Hum

Declarant



Signature